

Drew J. Ribar (Pro Se)
3480 Pershing Ln.
Washoe Valley NV 89704
775-223-7899
Const2Audit@gmail.com

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DREW J. RIBAR, PRO SE PLAINTIFF

Case No.: 3:24-cv-00526-ART-CLB

V.

BUILD OUR CENTER, INC., ET AL.,

DEFENDANTS.

**PLAINTIFF’S MOTION FOR LEAVE TO
FILE SUPPLEMENTAL BRIEF IN
OPPOSITION TO DEFENDANT BUILD
OUR CENTER, INC.’S MOTION TO
DISMISS**

COMES NOW, Plaintiff Drew Ribar, pro se, and respectfully moves this Court for leave to file a supplemental brief in opposition to Defendant Build Our Center, Inc.'s Motion to Dismiss, pursuant to Local Rule LR 7-2(g) and Federal Rule of Civil Procedure 15(d).

I. INTRODUCTION

Plaintiff seeks leave to file a supplemental brief to present additional evidence and arguments directly relevant to Defendant Build Our Center’s Motion to Dismiss. The supplemental exhibits contain email correspondence that unequivocally demonstrates a collaborative relationship between Defendant and the Washoe County Library System, substantiating Plaintiff’s §1983 claims. These communications, discovered during ongoing case preparation, were not included in Plaintiff’s initial filing and are critical to addressing issues raised in Defendant’s motion.

II. LEGAL STANDARD

PLAINTIFF’S MOTION FOR LEAVE TO FILE SUPPLEMENTAL BRIEF IN OPPOSITION TO DEFENDANT BUILD OUR CENTER, INC.’S MOTION TO DISMISS - 1

The Court has discretion to grant leave to file supplemental briefing to address newly discovered evidence or arguments. Supplemental briefing is appropriate when it aids the Court in deciding significant legal issues. See **United States v. W.R. Grace**, 526 F.3d 499, 511 (9th Cir. 2008).

III. BASIS FOR SUPPLEMENTAL BRIEFING

1. **Newly Discovered Evidence:** The emails in question, included as exhibits in the attached supplemental brief, were obtained after Plaintiff's original filing and highlight extensive collaboration between Defendant and the Washoe County Library System.
2. **Material to Key Legal Issues:** These communications establish a "close nexus" and mutual engagement, critical to showing that Defendant acted under color of state law for purposes of §1983 liability.
3. **No Prejudice to Defendant:** Granting leave will not prejudice Defendant as this evidence directly relates to their existing arguments.

IV. CONCLUSION

For the foregoing reasons, Plaintiff respectfully requests that this Court grant leave to file the attached Supplemental Brief in Opposition to Defendant's Motion to Dismiss.

Respectfully Submitted,

/S/Drew J. Ribar

Drew J. Ribar, Pro Se

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